



General Assembly

**Amendment**

January Session, 2005

LCO No. 6965

**\*HB0689406965SD0\***

Offered by:

SEN. DUFF, 25<sup>th</sup> Dist.

SEN. MCDONALD, 27<sup>th</sup> Dist.

To: Subst. House Bill No. 6894

File No. 378

Cal. No. 529

**"AN ACT REQUIRING THE INSTALLATION OF CARBON  
MONOXIDE DETECTORS IN NEW RESIDENTIAL BUILDINGS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 29-269 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The State Building Inspector and the Codes and Standards  
6 Committee shall revise the State Building Code to be in substantial  
7 compliance with the provisions of the Americans with Disabilities Act  
8 of 1990, as amended, 42 USC 12101 and the Fair Housing Amendments  
9 Act of 1988, as amended, 42 USC 3600. The provisions of this  
10 subsection and the State Building Code as from time to time revised  
11 pursuant to this section shall control the design, construction and  
12 arrangement of all buildings and building elements, constructed under  
13 permits issued on or after October 1, 1975, and all buildings or  
14 building elements constructed or substantially renovated by the state,

15 any municipality or any other political subdivision of the state, the  
16 architectural design of which was commenced on or after October 1,  
17 1977, except buildings which have been approved by the Department  
18 of Housing and Urban Development as being in conformance with  
19 federal standards for housing for the elderly and physically  
20 handicapped and for which a permit was issued prior to June 9, 1976,  
21 to ensure accessibility thereto and use by the physically handicapped.

22 (b) Any variation of or exemption from any provision of (1) the State  
23 Building Code relating to accessibility to, and use of, buildings and  
24 structures by persons with disabilities, (2) subsection (g) of section 14-  
25 253a, (3) section 29-273, or (4) section 29-274, shall be permitted only  
26 when approved by the State Building Inspector and the director of the  
27 Office of Protection and Advocacy for Persons with Disabilities acting  
28 jointly. Any person, agent of the state, municipality or any other  
29 political subdivision of the state may apply to the State Building  
30 Inspector to vary or set aside standards incorporated in the State  
31 Building Code pursuant to the provisions of subsection (a) of this  
32 section. The State Building Inspector, within seven days of receipt of  
33 any such application, shall forward a copy of such application to said  
34 director, who shall, within thirty days of receipt, review the  
35 application, and acting jointly with the State Building Inspector, render  
36 a decision to accept or reject the application in whole or in part. The  
37 State Building Inspector and said director may approve a variation of  
38 or exemption from any such standard or specification when they  
39 jointly determine that [it] such standard or specification would not be  
40 feasible, [or] would unreasonably complicate the construction,  
41 alteration or repair in question, is unwarranted for such construction,  
42 alteration or repair or that the variation would provide acceptable  
43 alternative compliance to the standard or specification. Such  
44 determination shall be in writing, shall state the reasons therefor and if  
45 it sets aside any such standard or specification, a copy of such  
46 determination shall be sent to said director. Any person aggrieved by  
47 any such decision may appeal to the Codes and Standards Committee  
48 within thirty days after such decision has been rendered.

49 (c) Regulations or codes made or amended by authority of this  
50 section shall, after a public hearing called for that purpose by the State  
51 Building Inspector not less than thirty days before the date of such  
52 hearing, be filed by the State Building Inspector with the Secretary of  
53 the State in accordance with the provisions of chapter 54 and he shall  
54 thereafter make copies available to persons having an interest therein.

55 (d) If any regulation is set aside by a court of competent jurisdiction,  
56 such ruling shall affect only the regulation, standard or specification  
57 included in the ruling and all other regulations, standards or  
58 specifications shall remain in effect.

59 Sec. 502. Section 29-273 of the general statutes is repealed and the  
60 following is substituted in lieu thereof (*Effective from passage*):

61 Each residential building or complex constructed, substantially  
62 renovated or established by change of use under a building permit  
63 application filed on or after October 1, 2004, shall provide accessible or  
64 adaptable dwelling units for persons with disabilities as required by  
65 the 2003 International Building Code, or its successor code, upon such  
66 code's adoption into the State Building Code."